



February 27, 2001

HOUSE BILL No. 1525

DIGEST OF HB 1525 (Updated February 26, 2001 1:01 PM - DI 73)

Citations Affected: IC 5-26; IC 36-8.

Synopsis: Provides that the integrated public safety commission shall assess a \$0.45 monthly integrated communications emergency system surcharge on each commercial mobile radio service mobile telephone number that has a billing address in Indiana and on each exchange access facility in Indiana. Provides that the surcharge may not be assessed after June 30, 2006. Provides that the money collected from the surcharge may only be used to pay for: (1) the development of the Indiana statewide wireless public safety voice and data communications system; (2) maintenance of the system; (3) matching grants for local or state government enhancements to the system; (4) matching grants for local or state public safety user equipment; (5) connectivity for state and local users of IDACS; and (6) salaries and other administrative expenses of the integrated public safety commission. Exempts federal and state government and political subdivisions from the surcharge. Provides that interest earned on money in the integrated public safety communications fund is not deposited in the fund.

Effective: July 1, 2001.

Bauer

January 11, 2001, read first time and referred to Committee on Ways and Means.
February 26, 2001, amended, reported — Do Pass.

HB 1525—LS 7944/DI 92+



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February 27, 2001

First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

HOUSE BILL No. 1525

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 5-26-1-0.5 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2001]: **Sec. 0.5. As used in this article, "CMRS" has the meaning**
4 **set forth in IC 36-8-16.5-5.**

5 SECTION 2. IC 5-26-1-0.6 IS ADDED TO THE INDIANA CODE
6 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
7 1, 2001]: **Sec. 0.6. As used in this article, "CMRS provider" has the**
8 **meaning set forth in IC 36-8-16.5-6.**

9 SECTION 3. IC 5-26-1-1.5 IS ADDED TO THE INDIANA CODE
10 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
11 1, 2001]: **Sec. 1.5. As used in this article, "exchange access facility"**
12 **has the meaning set forth in IC 36-8-16-3.**

13 SECTION 4. IC 5-26-1-2.5 IS ADDED TO THE INDIANA CODE
14 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
15 1, 2001]: **Sec. 2.5. As used in this article, "IDACS" means the**
16 **Indiana data and communications system described in IC 5-2-5-12.**

17 SECTION 5. IC 5-26-1-4.5 IS ADDED TO THE INDIANA CODE

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1 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
2 1, 2001]: **Sec. 4.5. As used in this article, "service supplier" has the**
3 **meaning set forth in IC 36-8-16-4(a).**

4 SECTION 6. IC 5-26-1-4.6 IS ADDED TO THE INDIANA CODE
5 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
6 1, 2001]: **Sec. 4.6. As used in this article, "service user" has the**
7 **meaning set forth in IC 36-8-16-4(b).**

8 SECTION 7. IC 5-26-1-4.8 IS ADDED TO THE INDIANA CODE
9 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
10 1, 2001]: **Sec. 4.8. As used in this article, "surcharge" means the**
11 **integrated communications emergency system surcharge imposed**
12 **by IC 5-26-4-2.**

13 SECTION 8. IC 5-26-4-1, AS ADDED BY P.L.117-1999,
14 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
15 JULY 1, 2001]: **Sec. 1. (a) The integrated public safety**
16 **communications fund is established to be used only to carry out the**
17 **purposes of this article. The fund shall be administered by the**
18 **commission.**

19 (b) The fund consists of:

- 20 (1) appropriations from the general assembly;
- 21 (2) gifts;
- 22 (3) federal grants;
- 23 (4) fees and contributions from user agencies that the commission
- 24 considers necessary to maintain and operate the system;
- 25 **(5) funds collected through the integrated communications**
26 **emergency system surcharge; and**
- 27 ~~(5)~~ **(6) money from any other source permitted by law.**

28 (c) The treasurer of state shall invest the money in the fund not
29 currently needed to meet the obligations of the fund in the same
30 manner as other public funds may be invested. ~~Interest that accrues~~
31 ~~from these investments shall be deposited in the fund.~~

32 (d) Money in the fund at the end of a state fiscal year does not revert
33 to the state general fund.

34 SECTION 9. IC 5-26-4-2 IS ADDED TO THE INDIANA CODE
35 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
36 1, 2001]: **Sec. 2. (a) Except as provided in section 3 of this chapter,**
37 **the commission shall, subject to approval by the budget agency**
38 **after review by the budget committee, assess a monthly integrated**
39 **communications emergency system surcharge of forty-five cents**
40 **(\$0.45) on the following:**

- 41 **(1) Each CMRS mobile telephone number that has a billing**
42 **address in Indiana.**



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(2) Each exchange facility in Indiana.

(b) The money collected from the surcharge may only be used to pay for the following:

(1) The development of the system.

(2) Maintenance of the system.

(3) Matching grants for local or state government enhancements to the system.

(4) Matching grants for local or state public safety user equipment.

(5) Connectivity for state and local users of IDACS.

(6) Salaries and other administrative expenses of the commission.

(c) A surcharge may not be assessed under this chapter after June 30, 2006.

SECTION 10. IC 5-26-4-3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: **Sec. 3. A CMRS telephone number or exchange access facility is exempt from the integrated communications emergency system surcharge if the subscriber is any of the following:**

(1) The federal government or an agency of the federal government.

(2) The state or an agency or instrumentality of the state.

(3) A political subdivision (as defined in IC 36-1-2-13) or an agency of a political subdivision.

SECTION 11. IC 36-8-16.5-29 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: **Sec. 29. Except as provided in IC 5-26-4-2, an additional fee relating to the provision of wireless 911 service may not be levied by a state agency or local unit of government.**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1525, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

Renumber all SECTIONS consecutively.
and when so amended that said bill do pass.

(Reference is to HB 1525 as introduced.)

BAUER, Chair

Committee Vote: yeas 22, nays 1.

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